

establishment and implementation of a Small Business Stationary Source Technical and Environmental Compliance Assistance Program for incorporation in the New York state implementation plan. This plan meets the requirements of section 507 of the Clean Air Act, and New York must implement the program as approved by EPA.

[59 FR 34386, July 5, 1994]

Subpart II—North Carolina

§ 52.1770 Identification of plan.

(a) Title of plan: “The North Carolina State Implementation Plan for Air Quality.”

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Miscellaneous non-regulatory additions to the plan submitted on May 5, 1972, by the North Carolina Department of Natural and Economic Resources.

(2) Letter indicating procurement of additional monitors submitted on May 9, 1972, by the North Carolina Department of Natural and Economic Resources.

(3) Compliance schedules submitted on February 13, 1973, by the North Carolina Department of Natural and Economic Resources.

(4) Compliance schedules submitted on February 14, 1973, by the North Carolina Department of Natural and Economic Resources.

(5) Compliance schedules submitted on March 2, 1973, by the North Carolina Department of Natural and Economic Resources.

(6) Compliance schedules submitted on April 24, 1973, by the North Carolina Department of Natural and Economic Resources.

(7) Compliance schedules submitted on November 2, 1973, by the North Carolina Department of Natural and Economic Resources.

(8) Indirect source review regulation No. 9 submitted on November 16, 1973, by the North Carolina Department of Natural and Economic Resources.

(9) Compliance schedules submitted on November 20, 1973, by the North Carolina Department of Natural and Economic Resources.

(10) Revisions to indirect source review regulation No. 9 and AQMA identification material submitted on April 1, 1974, by the North Carolina Department of Natural and Economic Resources.

(11) Compliance schedules submitted on May 13, 1974, by the North Carolina Department of Natural and Economic Resources.

(12) Compliance schedules submitted on November 7, 1974, by the North Carolina Department of Natural and Economic Resources.

(13) AQMA identification material submitted on November 22, 1974, by the North Carolina Department of Natural and Economic Resources.

(14) Compliance schedules submitted on November 27, 1974, by the North Carolina Department of Natural and Economic Resources.

(15) Revised ambient SO₂ and NO₂ standards, submitted on March 23, 1976, by the North Carolina Department of Natural and Economic Resources.

(16) Regulations extending visible emissions standard, adopting EPA's New Source Performance Standards (40 CFR part 60) and revising emission monitoring of stationary sources (40 CFR part 51.19), submitted June 24, 1976, by North Carolina Department of Natural and Economic Resources.

(17) Letter requesting delegation of Federal authority for the administrative and technical portions of the prevention of significant deterioration program, submitted on June 24, 1976, by the Secretary of the North Carolina Department of Natural and Economic Resources.

(18) Miscellaneous plan revisions, submitted on November 1, 1976, by the North Carolina Department of Natural and Economic Resources.

(19) Regulations governing emissions of sulfur dioxide from the roasting of spodumene ore, submitted on February 14, 1978, by the North Carolina Department of Natural Resources and Community Development.

(20) Request for an 18-month extension of the statutory timetable for submitting a plan to attain and maintain the secondary ambient standard for particulate matter in the Spruce Pine

nonattainment area, submitted on February 1, 1979, by the North Carolina Department of Natural Resources and Community Development.

(21) 1979 implementation plan revisions for the Mecklenburg County ozone and carbon monoxide nonattainment areas, including regulations 2D.0901-.0931 and 2H.0608, adopted on June 14, 1979, and submitted on June 15 and July 25, 1979, by the North Carolina Department of Natural Resources and Community Development.

(22) Three-year variance for the coal-fired units of Duke Power Company and Carolina Power & Light Company from the particulate emission limits of Regulation 15 N.C.A.C. 2D.0503, with submittals on June 18, September 7, October 31, and December 14, 1979, by the North Carolina Department of Natural Resources and Community Development.

(23) Revised regulations 2D.0903 and 2D.0931, adopted on April 10, 1980, and submitted on May 2, 1980, by the North Carolina Department of Natural Resources and Community Development to correct deficiencies in the Part D ozone revisions given conditional approval on April 17, 1980.

(24) Corrections in Part D carbon monoxide revisions conditionally approved on April 17, 1980, submitted on May 22 (this submittal included Regulation 2H.0608(g)), July 1, and August 19, 1980, by the North Carolina Department of Natural Resources and Community Development.

(25) Miscellaneous revisions submitted on June 15, 1979 (provisions for interstate pollution abatement to satisfy section 126(a) of the Clean Air Act, and revised ambient standard for ozone), and on May 2, 1980 (revision of regulations 2D.0302, .0501, .0524, .0525, and .0603, addition of regulation 2H.0603(f), ambient standard for airborne lead, and provision for public participation to satisfy section 127(a) of the Clean Air Act), by the North Carolina Department of Natural Resources and Community Development.

(26) Revisions of Section VI, Air Quality Surveillance, of the plan, submitted on August 19, 1980, by the North Carolina Department of Natural Resources and Community Development.

(27) Opacity limits for existing kraft pulp mill recovery furnaces (regulation 2D .0508(b)) and revised opacity limitations for other sources (revised regulation 2D .0521), submitted on March 22, 1977, and on April 19, 1978, by the North Carolina Department of Natural Resources and Community Development.

(28) Revisions in VOC regulations 2D.0902, .0903, .0905, .0907-.0912, and new VOC regulations 2D.0932-.0942, submitted on June 23, 1980, and revised regulation 2D.0936, submitted on April 29, 1981, by the North Carolina Department of Natural Resources and Community Development.

(29) Implementation plan for lead, submitted on May 2, 1980, by the North Carolina Department of Natural Resources and Community Development.

(30) Regulation 2D.0530, providing for prevention of significant deterioration, submitted on April 16, 1981, by the North Carolina Department of Natural Resources and Community Development.

(31) Addition of regulations 2D.0531 and 2D.0532 to replace repealed regulation 2H.0608, regulations providing for alternative emission reduction options, revised permit regulations (no action is taken on the addition of subdivision (h) to regulation 2H.0603), and miscellaneous other regulation changes, submitted on April 16, 1981, and relaxed annual ambient standard for particulate matter, submitted on September 14, 1981, by the North Carolina Department of Natural Resources and Community Development.

(32) Revised SO₂ limit for all but 24 (see FR of December 7, 1982) fuel-burning sources (changes in regulations 2D.0511 and .0516), submitted on March 22, 1977, and January 11, 1982, by the North Carolina Department of Natural Resources and Community Development.

(33) Permit restricting emissions of SO₂ from the Cliffside Steam Plant of Duke Power Company to 2.2 # per million Btu, submitted on September 24, 1982, by the North Carolina Department of Natural Resources and Community Development.

(34) Revised SO₂ limit for eight fuel-burning sources (See FR of February 10, 1983), submitted on March 22, 1977, and January 11, July 27, and August 26,

1982, by the North Carolina Department of Natural Resources and Community Development.

(35) Changes in regulations 2D.0524 and .0603, submitted on September 24, 1982, by the North Carolina Department of Natural Resources and Community Development.

(36) Bubble permit for E. I. du Pont de Nemours and Company, Kinston, submitted on May 18, 1983, by the North Carolina Department of Natural Resources and Community Development.

(37) 1982 revision of the Part D plan for the Mecklenburg County CO non-attainment area, submitted on June 17, 1982, and April 17, 1984, by the North Carolina Department of Natural Resources and Community Development.

(38) Revisions to the North Carolina Administrative Code were submitted to EPA on January 24, 1983.

(i) Incorporation by reference. (A) Letter of January 24, 1983 from the North Carolina Department of Natural Resources and Community Development, and the following North Carolina Administrative Code Regulations which were adopted by the Environmental Management Commission on December 9, 1982:

- 15 NCAC 2D.0501, Compliance With Emission Control Standards
- 15 NCAC 2D.0503, Control of Particulates from Fuel Burning Sources
- 15 NCAC 2D.0504, Particulates from Wood Burning Indirect Heat Exchangers
- 15 NCAC 2D.0530, Prevention of Significant Deterioration
- 15 NCAC 2D.0531, Sources in Nonattainment Areas
- 15 NCAC 2D.0532, Sources Contributing to an Ambient Violation
- 15 NCAC 2D.0606, Other Coal or Residual Oil Burners
- 15 NCAC 2D.0902, Applicability (Volatile Organic Compounds)
- 15 NCAC 2H.0603, Applications (Air Quality Permits)

(39) Revisions to the North Carolina Administrative Code were submitted to EPA on April 17, 1984.

(i) Incorporation by reference. (A) Letter of April 17, 1984 from the North Carolina Department of Natural Resources and Community Development, and the following North Carolina Administrative Code Regulations which were adopted by the Environmental

Management Commission on April 12, 1984:

- 15 NCAC 2D.0101, Definitions and References
- 15 NCAC 2D.0103, Copies of Referenced Federal Regulations
- 15 NCAC 2D.0201, Classification of Air Pollution Sources
- 15 NCAC 2D.0202, Registration of Air Pollution Sources
- 15 NCAC 2D.0302, Episode Criteria
- 15 NCAC 2D.0303, Emission Reduction Plans
- 15 NCAC 2D.0304, Preplanned Abatement Program
- 15 NCAC 2D.0305, Emission Reduction Plan—Alert Level
- 15 NCAC 2D.0306, Emission Reduction Plan—Warning Level
- 15 NCAC 2D.0307, Emission Reduction Plan—Emergency Level
- 15 NCAC 2D.0401, Purpose (Ambient Air Quality Standards)
- 15 NCAC 2D.0402, Sulfur Oxides
- 15 NCAC 2D.0403, Suspended Particulates
- 15 NCAC 2D.0404, Carbon Monoxide
- 15 NCAC 2D.0405, Ozone
- 15 NCAC 2D.0407, Nitrogen Dioxide
- 15 NCAC 2D.0408, Lead
- 15 NCAC 2D.0501, Compliance With Emission Control Standards
- 15 NCAC 2D.0524, New Source Performance Standards
- 15 NCAC 2D.0601, Purpose and Scope (Monitoring, Reporting)
- 15 NCAC 2D.0602, Definitions
- 15 NCAC 2D.0604, Sources Covered by Implementation Plan Requirements
- 15 NCAC 2D.0605, Wood and Wood—Fossil Fuel Combination Units
- 15 NCAC 2D.0606, Other Coal or Residual Oil Burners
- 15 NCAC 2D.0607, Exceptions to Monitoring and Reporting Requirements
- 15 NCAC 2D.0608, Program Schedule
- 15 NCAC 2D.0610, Delegation
- 15 NCAC 2D.0801, Purpose and Scope (Complex Sources)
- 15 NCAC 2D.0802, Permits
- 15 NCAC 2D.0803, Highway Projects
- 15 NCAC 2D.0804, Airport Facilities
- 15 NCAC 2H.0601, Purpose and Scope (Air Quality Permits)
- 15 NCAC 2H.0602, Definitions
- 15 NCAC 2H.0604, Final Action on Permit Applications
- 15 NCAC 2H.0605, Issuance, Revocation and Enforcement of Permits
- 15 NCAC 2H.0606, Delegation of Authority
- 15 NCAC 2H.0607, Copies of Referenced Documents

(ii) Additional material. (A) The following regulations were repealed by the Environmental Management Commission on April 12, 1984:

- 15 NCAC 2D.0102, Phrases

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15 NCAC 2D.0406, Hydrocarbons

15 NCAC 2D.0603, Sources Covered by National Standards

(40) Visibility Impairment Prevention Program and visibility new source review regulations were submitted to EPA on April 15, 1985.

(i) Incorporation by reference.

(A) Letter of April 15, 1985, from the North Carolina Department of Natural Resources and Community Development, and the following North Carolina Administrative Code revisions which were adopted by the Environmental Management Commission on April 11, 1985: 15 NCAC 2D.0530, Prevention of Significant Deterioration 15 NCAC 2D.0531, Sources in Nonattainment Areas.

(ii) Additional material.

(A) Narrative submittal, titled "Visibility Impairment Prevention Program for Federal Class I Areas," adopted by the Environmental Management Commission on April 11, 1985.

(41) [Reserved]

(42) A new regulation covering malfunctions, (2D.0535 (a)–(f)), and the repeal of a malfunction rule for VOC sources (2D.0904) which were submitted to EPA on January 24, 1983. (2D.0535(g) covering startups and shutdowns as submitted on April 17, 1984, is disapproved.)

(i) Incorporation by reference.

(A) New malfunction regulation 15 NCAC 2D.0535 paragraphs (a)–(f), as adopted by the Environmental Management Commission on December 9, 1982.

(ii) Additional material.

(A) Letter from Robert F. Helms, Director, Division of Environmental Management, dated January 24, 1983.

(43) Revisions to the North Carolina Administrative Code were submitted to EPA on March 18, 1985.

(i) Incorporation by reference.

(A) Changes in the following regulations were adopted by the Environmental Management Commission on March 14, 1985:

15 NCAC 2D.0606, Other Coal or Residual Oil Burners

15 NCAC 2D.0939, Determination of Volatile Organic Compound Emissions

(B) The following new regulations were adopted by the Environmental Management Commission on March 14, 1985:

15 NCAC 2D.0943, Synthetic Organic Chemical and Polymer Manufacturing

15 NCAC 2D.0944, Manufacturing of Polyethylene, Polypropylene, and Polystyrene

15 NCAC 2D.0945, Petroleum Dry Cleaning

(ii) Other material—none.

(44) Revisions to the North Carolina Administrative Code were submitted to EPA on April 15, 1985.

(i) Incorporation by reference.

(A) Changes in the following regulations were adopted by the Environmental Management Commission on April 11, 1985:

15 NCAC 2D.0202, Registration of Air Pollution Sources

15 NCAC 2D.0501, Compliance with Emission Control Standards (except the changes to paragraph (f)(1)(A))

15 NCAC 2D.0503, Control of Particulates from Fuel Burning Indirect Heat Exchangers

15 NCAC 2D.0504, Particulates from Wood Burning Indirect Heat Exchangers

15 NCAC 2D.0505, Control of Particulates from Incinerators

15 NCAC 2H.0603, (Permit) Applications

(ii) Other material—none.

(45) SO₂ revisions for Alba Waldensian and Valdese Manufacturing which were submitted by the North Carolina Department of Natural Resources and Community Development on April 2, 1986.

(i) Incorporation by reference. (A) Letter of April 2, 1986, from the North Carolina Department of Natural Resources and Community Development.

(B) Permits for Alba Waldensian (2 plants) and Valdese Manufacturing which were issued by the Environmental Management Commission on July 23, 1986, March 11, 1987, and August 1, 1985, respectively.

(ii) Additional material—none.

(46) SO₂ and particulate revision for Appalachian State University which was submitted by the North Carolina Department of Natural Resources and Community Development on July 26, 1985, and June 7, 1988.

(i) Incorporation by reference.

(A) Letters of July 26, 1985 and June 7, 1988 from the North Carolina Department of Natural Resources and Community Development.

(B) Permit for Appalachian State University (No. 3990R4) which was issued by the Environmental Management Commission on July 19, 1985, and amended on June 7, 1988.

(ii) Additional material—none.

(47) Revisions to Title 15 of the North Carolina Administrative Code (15 NCAC) which were submitted to EPA on December 17, 1984.

(i) Incorporation by reference.

(A) Letter of December 17, 1984, from the North Carolina Division of Environmental Management and amendments to the following regulations which were adopted by the North Carolina Environmental Management Commission on November 8, 1984:

2D.0501—Compliance with Emission Control Standards
 2D.0506—Control of Particulates from Hot Mix Asphalt Plants
 2D.0507—Particulates from Chemical Fertilizer Manufacturing Plants
 2D.0508—Control of Particulates from Pulp and Paper Mills
 2D.0509—Particulates from Mica or Feldspar Processing Plants
 2D.0510—Particulates: Sand, Gravel, Crushed Stone Operations
 2D.0511—Particulates, SO₂ from Lightweight Aggregate Processes
 2D.0512—Particulates from Wood Products Finishing Plants
 2D.0513—Control of Particulates from Portland Cement Plants
 2D.0514—Control of Particulates from Ferrous Jobbing Foundries
 2D.0515—Particulates from Miscellaneous Industrial Processes
 2D.0516—Sulfur Dioxide Emissions from Fuel-Burning Installations
 2D.0517—Emissions from Plants Producing Sulfuric Acid (Except revision to paragraph 2)
 2D.0519—Control of Nitrogen Dioxide Emissions
 2D.0520—Control and Prohibition of Open Burning
 2D.0521—Control of Visible Emissions
 2D.0527—Emissions from Spodumene Ore Roasting (Except revision to paragraph 2)
 2D.0530—Prevention of Significant Deterioration
 2D.0531—Sources in Nonattainment Areas
 2D.0532—Sources Contributing to an Ambient Violation
 2D.0901—Definitions (Volatile Organic Compounds)
 2D.0903—Recordkeeping, Reporting, Monitoring (Volatile Organic Compounds)
 2D.0905—Petition for Alternative Controls
 2D.0906—Circumvention

2D.0907—Equipment Installation Compliance Schedules
 2D.0908—Equipment Modification Compliance Schedules
 2D.0909—Low Solvent Content Coating Compliance Schedules
 2D.0910—Alternate Compliance Schedules
 2D.0912—General Provisions on Test Methods and Procedures
 2D.0913—Determination of Volatile Content of Surface Coating
 2D.0914—Determination of VOC Emission Control System Efficiency
 2D.0915—Determination of Solvent Metal Cleaning VOC Emissions
 2D.0916—Determination of VOC Emissions from Bulk Gasoline Terminals
 2D.0918—Can Coating
 2D.0919—Coil Coating
 2D.0920—Paper Coating
 2D.0921—Fabric and Vinyl Coating
 2D.0922—Metal Furniture Coating
 2D.0923—Surface Coating of Large Appliances
 2D.0924—Magnet Wire Coating
 2D.0925—Petroleum Liquid Storage In Fixed Roof Tanks
 2D.0926—Bulk Gasoline Plants
 2D.0927—Bulk Gasoline Terminals
 2D.0928—Gasoline Service Stations Stage I
 2D.0929—Petroleum Refinery Sources
 2D.0930—Solvent Metal Cleaning
 2D.0931—Cutback Asphalt
 2D.0932—Gasoline Truck Tanks and Vapor Collection Systems
 2D.0933—Petroleum Liquid Storage In External Floating Roof Tanks
 2D.0934—Coating of Miscellaneous Metal Parts and Products
 2D.0935—Factory Surface Coating of Flat Wood Paneling
 2D.0936—Graphic Arts
 2D.0937—Manufacture of Pneumatic Rubber Tires
 2D.0938—Perchloroethylene Dry Cleaning System
 2D.0939—Determination of Volatile Organic Compound Emissions
 2D.0940—Determination of Leak Tightness and Vapor Leaks
 2H.0601—Purpose and Scope (Permits)
 2H.0604—Final Action on Permit Applications
 2H.0605—Issuance, Revocation and Enforcement of Permits

(ii) Additional material.

(A) Regulation 2D.0609 (Monitoring Condition in Permit) was repealed by the Environmental Management Commission on November 8, 1984.

(48) Revision to the North Carolina Administrative Code (15 NCAC) which was submitted to EPA on February 25, 1986.

(i) Incorporation by reference.

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(A) Letter of February 25, 1986, from the North Carolina Division of Environmental Management and the amendment to regulation 2D.0917 (Automobiles and Light-Duty Truck Manufacturing) which was adopted by the North Carolina Environmental Management Commission on February 13, 1986.

(ii) Additional material—none.

(49) Revision to 15 NCAC 2D.0518 which was submitted by the North Carolina Division of Environmental Management on January 24, 1983.

(i) Incorporation by reference.

(A) Letter of January 24, 1983 to EPA from the North Carolina Department of Natural Resources and Community Development, and amendments to North Carolina Administrative Code regulation 2D.0518 (Miscellaneous Volatile Organic Compound Emissions) adopted by the Environmental Management Commission on December 9, 1982, which allow alternative control strategies.

(ii) Additional material—none.

(50) Stack Height regulations were submitted to EPA on September 24, 1982, April 17, 1984, and February 25, 1986, by the North Carolina Department of Natural Resources and Community Development.

(i) Incorporation by reference. (A) Regulations 15NCAC 2D.0533 (Stack Height) adopted on September 9, 1982 and Regulations 15NCAC 2H.0603 (Applications) adopted on February 13, 1986 and April 12, 1984, by the Environmental Management Commission.

(ii) Other material—none.

(51) Revisions to the North Carolina State Implementation Plan were submitted by the State of North Carolina Division of Environmental Management on June 12, 1986.

(i) Incorporation by reference.

(A) A new regulation entitled Control of Conical Incinerators, 15 NCAC 2D.0523, which became effective on January 1, 1985.

(B) A letter dated July 7, 1987, from the State of North Carolina Division of Environmental Management clarifying the adoption and effective dates of 15 NCAC 2D.0523.

(ii) Other material—none.

(52) Minor revisions to Title 15 of the North Carolina Administrative Code (15

NCAC) were submitted to EPA on February 25, 1986.

(i) Incorporation by reference.

(A) Letter of February 25, 1986 from the State of North Carolina to EPA, and Amendments in the following regulations which were adopted by the North Carolina Environmental Management Commission on February 13, 1986:

2D.0501 Compliance with Emission Control Standards

2D.0508 Control of Particulates from Pulp and Paper Mills

2D.0509 Particulates from Mica and Feldspar Processing Plants

2D.0514 Control of Particulates from Ferrous Jobbing Foundries

2D.0535 Malfunctions, Startup and Shutdown

2D.0916 Determination: VOC Emissions from Bulk Gasoline Terminals

(ii) Other material—none.

(53) Revisions to 15 NCAC, regulation 2D.0501 were submitted to EPA on October 14, 1986.

(i) Incorporation by reference.

(A) Letter of October 14, 1986, from the North Carolina Department of Natural Resources and Community Development, and revisions to 15 NCAC, regulation 2D.0501 which were adopted by the Environmental Management Commission on September 11, 1986.

(ii) Additional material—none.

(54) Revisions to the visible emission regulations of Title 15 of the North Carolina Administrative Code (15 NCAC) were submitted February 11, 1987.

(i) Incorporation by reference.

(A) Letter to EPA dated February 11, 1987 and amendments to the following North Carolina Administrative Code regulations:

15 NCAC 2D.0501(c)(8), Compliance with Emission Control Standards;

15 NCAC 2D.0508(b), Control of Emissions from Pulp and Paper Mills; and

15 NCAC 2D.0521 (c), (d), and (f), Control of Visible Emissions, which became effective on August 1, 1987.

(ii) Additional material—none.

(55) A revised regulation limiting emissions from electric utility boilers was submitted on January 24, 1983, and February 21, 1983, and amended by submittals dated December 17, 1985, and June 19, 1987, by the North Carolina Department of Natural Resources and

Community Development. Only the following portions of this regulation are approved:

(i) Incorporation by reference.

(A) Only those portions of a new regulation, 15 NCAC 2D.0536, entitled "Emissions from Electric Utility Boilers," which were approved by the Environmental Protection Agency on April 5, 1988.

(ii) Other material—none.

(56) Revisions to miscellaneous regulations of Title 15 of the North Carolina Administrative Code (15 NCAC) were submitted April 14, 1987.

(i) Incorporation by reference.

(A) Amendments to the following regulations (15 NCAC) were adopted by the North Carolina Environmental Management Commission on April 9, 1987:

2D.0103—Copies of Referenced Federal Regulations, paragraph (a)(2).

2D.0501—Compliance with Emission Control Standards, paragraph (c)(4).

2D.0505—Control of Particulates from Incinerators, paragraph (b).

2D.0533—Stack Height, paragraph (a)(7).

2H.0607—Copies of Referenced Documents, (a) introductory text and paragraph (a)(2).

(B) Letter of April 14, 1987, to EPA from the State of North Carolina Department of Natural Resources and Community Development.

(ii) Other material—none.

(57) Revisions to 15 NCAC 2D.0501(c)(4) were submitted by the North Carolina Department of Natural Resources and Community Development on December 15, 1987.

(i) Incorporation by reference.

(A) Letter of December 15, 1987, to the Environmental Protection Agency from the North Carolina Department of Natural Resources and Community Development and revised paragraph (c)(4) of 15 NCAC 2D.0501, adopted by the North Carolina Environmental Management Commission on December 10, 1987.

(ii) Additional material—none.

(58) North Carolina plan for visibility impairment prevention for federal Class I areas, Part 2, submitted to EPA on December 15, 1987, by the North Carolina Division of Environmental Management (NCDEM) to satisfy the Part 2 visibility requirements including the State's long-term strategy and

provisions to satisfy the periodic review requirements.

(i) Incorporation by reference.

(A) December 15, 1987, letter from the North Carolina Division of Environmental Management.

(B) That portion of page II-7 of the North Carolina plan for visibility impairment prevention for federal Class I areas Part 2 containing the periodic review requirements satisfying 40 CFR 51.306(c), adopted by the North Carolina Division of Environmental Management on December 10, 1987.

(ii) Additional material.

(A) Narrative SIP titled "The North Carolina Plan for Visibility Impairment Prevention for Federal Class I Areas Part 2."

(59) [Reserved]

(60) Revisions to 15 NCAC 2D.0103, Copies of Referenced Federal Regulations; 2D.0304, Preplanned Abatement Program; 2D.0604, Sources Covered by Implementation Plan Requirements; 2D.0606, Other Coal or Residual Oil Burners; 2D.0608, Program Schedule; and 2H.0607, Copies of Referenced Documents, were submitted by the North Carolina Department of Natural Resources and Community Development on May 2, 1988.

(i) Incorporation by reference.

(A) Letter of May 2, 1988 from the North Carolina Department of Natural Resources and Community Development and revised regulations 15 NCAC 2D.0103(a)(6), 2D.0304(a), 2D.0604(b), 2D.0606(a)(4)(E), 2D.0608(b), and 2H.0607(a)(6), adopted by the North Carolina Environmental Management Commission on April 14, 1988.

(ii) Additional material—none.

(61) Revisions to the SIP including PM₁₀ revisions submitted on May 2, 1988, and July 14, 1989 by the North Carolina Department of Natural Resources and Community Development.

(i) Incorporation by reference. (A) July 1, 1988 revisions to North Carolina Administration Code Regulation No.:

2D.0101—Definitions, (18) and (25)–(33)

2D.0302—Episode criteria, (2)(g), (3)(g),

(4) (f) and (g)

2D.0403—Total suspended particulates

2D.0409—Particulate matter

2D.0501—Compliance with emission control standards, (c)(16)

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2D.0913—Determination of volatile content of surface coatings

2D.0916—Determination of VOC emissions from bulk gasoline terminals

2D.0939—Determination of volatile organic compound emissions

2D.0940—Determination of leak tightness and vapor leaks

2D.0601—Purpose and scope

2D.0603—Applications, (f) (5) and (6)

(B) October 1, 1989 State-effective revisions to North Carolina Administrative Code No.:

2D.0104—Adoption by Reference Updates

2D.0530—Prevention of Significant Deterioration, (h)

2D.0531—Sources in Non-Attainment Areas, (d)

2D.0532—Sources Contributing to an Ambient Violation, (d)

(ii) Additional material. (A) May 2, 1988 letter from North Carolina Department of Natural Resources and Community Development.

(B) July 14, 1989 letter from North Carolina Department of Natural Resources and Community Development

(62) Permits for Liggett & Myers and Burlington Industries which were submitted as State Implementation Plan revisions on April 2, 1986, and resubmitted on October 24, 1989.

(i) Incorporation by reference.

(A) Permit No. 2533R11 for Liggett & Myers Tobacco Company issued on May 22, 1989.

(B) Permit No. 4119R5 for Burlington Industries issued on March 3, 1987.

(ii) Additional material—none.

(63) Miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on July 14, 1989.

(i) Incorporation by reference.

(A) Revisions to North Carolina Administrative Code which became State effective on October 1, 1989 are as follows:

2D.0401, Purpose, as amended

2D.0404, Carbon Monoxide, as amended

2D.0407, Nitrogen Dioxide, as amended

2D.0501, Compliance with Emission Control Standards, (c)(3)

2D.0511, Particulates from Lightweight Aggregate Processes, (d)

2D.0516, Sulfur Dioxide Emissions from Combustion Sources, (a)

2D.0519, Control of Nitrogen Dioxide and Nitrogen Oxides Emissions, as amended

2H.0601, Purpose and Scope, (a), (c), and (d)

2H.0603, Applications, (d) and (e)

2H.0606, Delegation of Authority, as amended

(ii) Additional material.

(A) Letter of July 14, 1989 submitting the SIP revisions.

(64) Revisions to the North Carolina State Implementation Plan which were submitted on July 15, 1987 and May 25, 1988.

(i) Incorporation by reference.

(A) Revisions to North Carolina Administrative Code effective as of July 1, 1988, are as follows:

2D.0530, Prevention Of Significant Deterioration, except (h).

2D.0531, Sources In Nonattainment Areas, except (d).

2D.0532, Sources Contributing To An Ambient Violation, except (d).

(ii) Additional information—none.

(65) Revisions to the North Carolina SIP which include the Forsyth County, Western North Carolina and Mecklenburg County regulations which were submitted on June 14, 1990.

(i) Incorporation by reference.

(A) The entire set of Forsyth County Air Quality Control Code regulations effective December 19, 1988, except for section 3-152(2), 3-155, 3-158, 3-159, 3-160 and 3-169.

(B) The entire set of Western North Carolina regulations effective March 13, 1985 and November 9, 1988, except for Sections 1-137(g), 1-139, 1-144, 1-152(2), 1-158 and 1-159.

(C) The entire set of Mecklenburg County regulations effective April 3, 1989, except for Sections 2.0517(2), 2.0524, 2.0525, 2.0528, 2.0529, 2.0534, 2.0537.

(ii) Additional material—none.

(66) The maintenance plan and emission inventory for Greensboro/Winston-Salem/Highpoint Area which includes Davidson County, Davis County (part) the area bounded by the Yadkin River, Dutchmans Creek, North Carolina Highway 801, Fulton Creek, and back to the Yadkin River, Forsyth County and Guilford County, submitted by the North Carolina Department of Environment, Health, and Natural Resources on November 13, 1992, and June 1, 1993, as part of the North Carolina SIP.

(i) Incorporation by reference.

(A) Supplement to the Redesignation Demonstration and Maintenance Plan For Raleigh/Durham and Greensboro/Winston-Salem/High Point Ozone Attainment Areas submitted June 1, 1993, and Prepared by the North Carolina Department of Environment, Health, and Natural Resources, Division of Environmental Management, Air Quality Section. The effective date is July 8, 1993.

(1) Section 2—Discussion of Attainment.

(2) Section 3—Maintenance Plan.

(3) Greensboro/Winston-Salem/High Point Nonattainment Area Emission Summary for 1990.

(4) Greensboro/Winston-Salem/High Point Nonattainment Area Emission Summary for 1993.

(5) Greensboro/Winston-Salem/High Point Nonattainment Area Emission Summary for 1996.

(6) Greensboro/Winston-Salem/High Point Nonattainment Area Emission Summary for 1999.

(7) Greensboro/Winston-Salem/High Point Nonattainment Area Emission Summary for 2002.

(8) Greensboro/Winston-Salem/High Point Nonattainment Area Emission Summary for 2004.

(ii) Other material. None.

(67) The maintenance plan and emission inventory for the Raleigh/Durham Area which includes Durham County, Wake County, and the Dutchville Township portion of Granville County submitted by the North Carolina Department of Environment, Health, and Natural Resources on November 13, 1992, and June 1, 1993, as part of the North Carolina SIP.

(i) Incorporation by reference.

(A) Supplement to the Redesignation Demonstration and Maintenance Plan for the Greensboro/Winston-Salem/High Point and Raleigh/Durham Ozone Attainment Areas submitted June 1, 1993, and Prepared by the North Carolina Department of Environment, Health, and Natural Resources, Division of Environmental Management, Air Quality Section. The effective date is July 8, 1993.

(1) Section 2—Discussion of Attainment.

(2) Section 3—Maintenance Plan.

(3) Raleigh/Durham Nonattainment Area Emission Summary for 1990.

(4) Raleigh/Durham Nonattainment Area Emission Summary for 1993.

(5) Raleigh/Durham Nonattainment Area Emission Summary for 1996.

(6) Raleigh/Durham Nonattainment Area Emission Summary for 1999.

(7) Raleigh/Durham Nonattainment Area Emission Summary for 2002.

(8) Raleigh/Durham Nonattainment Area Emission Summary for 2004.

(ii) Other material. None.

(68) The North Carolina Department of Environmental Management submitted an Oxygenated Fuel program as part of North Carolina carbon monoxide SIP on November 20, 1992.

(i) Incorporation by reference.

(A) The North Carolina Environmental Commission regulations 15A NCAC 2D.1301 through .1305 effective September 1, 1992.

(B) The North Carolina Gasoline and Oil Board section .0800 through .0806 effective September 1, 1992.

(ii) Other material. None.

(69) Revisions to the VOC portion of the North Carolina SIP to correct deficiencies submitted on September 21, 1989, January 14, 1991, and April 29, 1991, and July 19, 1993, revisions to VOC regulations of the Mecklenburg County Department of Environmental Protection submitted on August 13, 1991.

(i) Incorporation by reference.

(A) Amendments to the North Carolina regulations 15 NCAC 2D.0101, .0531, .0901 except (12) and (28), .0913(b), .0917 except (d), .0918 except (d), .0919 except (d), .0920 except (e), .0921 except (d), .0922 except (d), .0923 except (e), .0924 except (d), .0925 except (d)(1), .0926 except (g), .0927, .0928 except (e), .0929 except (d), .0930 except (e)(3) and (f)(2), .0931, .0932, .0933 except (f), .0934 except (e), .0935, .0936, .0937, .0938, .0941, and 2H.0603 effective December 1, 1989.

(B) Amendments to the North Carolina regulations 15 NCAC 2D.0901 (28), .0902(c), .0913(a), .0925(d)(1), .0926(g), .0928(e), .0929(d), .0930 (e)(3) and (f)(2), .0933(f), .0943 (a) (8) and (10) which were effective March 1, 1991.

(C) Amendments to the North Carolina regulations 15 NCAC 2D.0901(12), .0917(d), .0918(d), .0919(d), .0920(e), .0921(d), .0922(d), .0923(e), .0924(d), and .0934(e) effective on July 1, 1991.

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(D) Amendments to the North Carolina regulations 15 NCAC 2D.0903 and 2D.0912 effective on July 1, 1993.

(E) Amendments to the Mecklenburg County Department of Environmental Protection regulations 2.0901, 2.0902, 2.0913, 2.0925, 2.0926, 2.0928, 2.0929, 2.0930, 2.0933, 2.0934, 2.0943, 2.0944 effective March 1, 1991.

(F) Amendments to the Mecklenburg County Department of Environmental Protection regulations 2.0903, 2.0912 effective July 1, 1991.

(ii) Other material. None.

(70) The minor source operating permit program for Mecklenburg County, North Carolina, submitted by the Mecklenburg County Department of Environmental Protection on November 24, 1993, and as part of the Mecklenburg County portion of the North Carolina SIP.

(i) Incorporation by reference.

MCAPCO Regulations 1.5211 through 1.5214, 1.5216, 1.5219, 1.5221, 1.5222, 1.5232, 1.5234, and 1.5306 of the Mecklenburg County portion of the North Carolina SIP adopted June 6, 1994.

(ii) Other material. None.

(71) The PSD NOx increment regulations and other miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on March 3, 1993.

(i) Incorporation by reference.

(A) North Carolina regulations 15 NCAC 2D.0103, 2D.0104, 2D.0401, 2D.0521, 2D.0530, 2D.0531, 2D.0532, 2H.0603, 2H.0607, and 2H.0609 effective on December 1, 1992.

(ii) Other material. None.

(72) The NSR regulations to the North Carolina State Implementation Plan which were submitted on January 7, 1994.

(i) Incorporation by reference.

(A) North Carolina regulations 15A NCAC 2D.0531, and 2D.0532 effective on December 1, 1993.

(ii) Other material.

(A) Letter of January 7, 1993, from the North Carolina Division of Environmental Management.

(73) Revisions to the State of North Carolina State Implementation Plan (SIP) concerning emission statements were submitted on August 15, 1994, by the North Carolina Department of En-

vironment, Health and Natural Resources.

(i) Incorporation by reference.

Revisions to North Carolina Regulation 15A NCAC 2Q .0207, effective July 1, 1994.

(ii) Other material. None.

(74) The minor source operating permit programs for the State of North Carolina, Western North Carolina Regional Air Pollution Control Board, and Forsyth County Department of Environmental Affairs submitted by the North Carolina Department of Environment, Health, and Natural Resources on May 31, 1994, June 1, 1994, and September 15, 1994, as part of the North Carolina SIP.

(i) Incorporation by reference.

(A) Regulations 15A NCAC 2Q.0103, 15A NCAC 2Q.0301, 15A NCAC 2Q.0303 through 15A NCAC 2Q.0311 of the North Carolina SIP as adopted by the North Carolina Environmental Management Commission on May 12, 1994 and which became effective on July 1, 1994.

(B) Regulations 15A NCAC 2Q.0103, 15A NCAC 2Q.0301, 15A NCAC 2Q.0303 through 15A NCAC 2Q.0311 of the North Carolina SIP as adopted by reference by the Western North Carolina Regional Air Pollution Control Board (WNCRAPCB) on September 12, 1994 and which were made effective September 12, 1994.

(C) Regulations Subchapter 3Q.0103, Subchapter 3Q.0301, Subchapter 3Q.0303 through Subchapter 3Q.0311 of the Forsyth County portion of the North Carolina SIP as adopted and made effective by the Forsyth County Board of Commissioners on May 23, 1994.

(ii) Other material. None.

(75) The redesignation and maintenance plan for Winston-Salem/Forsyth County submitted by the North Carolina Department of Environmental Management on April 27, 1994, as part of the North Carolina SIP. The emission inventory projections are included in the maintenance plan.

(i) Incorporation by reference.

(A) Maintenance Plan for the Forsyth County Carbon Monoxide Non-attainment Area adopted on April 14, 1994.

(ii) Other material. None.

(76) The North Carolina Department of Environment, Health and Natural

Resources submitted revisions to the North Carolina State Implementation Plan on November 2, 1989. These revisions incorporate SO₂ limits and permit conditions for Texasgulf, Incorporated.

(i) Incorporation by reference.

(A) Permit for Texasgulf, Incorporated (air permit no. 2331R10) which was issued by the Environmental Management Commission on October 13, 1989.

(ii) Additional material—none.

(77) Revisions to the VOC RACT regulations, and other miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on January 7, 1994.

(i) Incorporation by reference.

(A) Amendments to North Carolina regulations 15A NCAC 2D .0518, 2D.0531, 2D.0532, 2D.0901, and 2D.0936, effective on December 1, 1993.

(B) Amendments to North Carolina regulations 15A NCAC 2D.0902, 2D.0907, 2D.0910, 2D.0911, 2D.0947, 2D.0948, 2D.0949, 2D.0950, 2D.0951, and 2D.0952 effective on July 1, 1994.

(ii) Other material. None.

(78) Miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on May 15, 1991.

(i) Incorporation by reference. (A) Amendments to North Carolina regulations 15A NCAC 2D.0103, 2D.0503, 2D.0530, 2D.0536, 2H.0601, and 2H.0607, of the North Carolina State Implementation Plan submitted on May 15, 1991, which were state effective on August 1, 1991.

(ii) Other material. None.

(79) The North Carolina Department of Environment, Health and Natural Resources has submitted revisions to the North Carolina SIP on July 19, 1993. These revisions address the requirements of section 507 of title V of the CAA and establish the Small Business Stationary Source Technical and Environmental Assistance Program (PRO-GRAM).

(i) Incorporation by reference.

(A) North Carolina's Small Business Stationary Source Technical and Environmental Compliance Assistance Program which was adopted on May 12, 1994.

(ii) Other material. None.

(80) Modifications to the existing basic I/M program in North Carolina submitted on July 19, 1993, January 17, 1992, and September 24, 1992. Addition of regulations .1001 through .1005 establishes the I/M program.

(i) Incorporation by reference.

(A) Regulation .1001 and .1003, effective on December 1, 1982.

(B) Regulation .1002 effective on July 1, 1994.

(C) Regulation .1004 effective on July 1, 1993.

(D) Regulation .1005 effective on April 1, 1991.

(E) Specification for the North Carolina Analyzer System adopted December 12, 1991.

(ii) Other material. None.

(81) The VOC revision to the North Carolina State Implementation Plan which were submitted on October 14, 1994.

(i) Incorporation by reference. Addition of new North Carolina regulations 15A NCAC 2D .0518 which was state effective on September 1, 1994.

(ii) Other material. None.

(82) The redesignation and maintenance plan for Raleigh/Durham and Charlotte submitted by the North Carolina Department of Environmental Management on October 7, 1994 and August 9, 1991, as part of the North Carolina SIP. The emission inventory projections are included in the maintenance plans.

(i) Incorporation by reference. Section 3 of the Redesignation Demonstration and Maintenance Plan for Raleigh/Durham, Winston-Salem, and Charlotte Carbon Monoxide Nonattainment Area adopted on September 8, 1994.

(ii) Other material. None.

(83) The maintenance plan and redesignation request for the Charlotte-Gastonia area which include Mecklenburg and Gaston Counties submitted by the State of North Carolina on November 12, 1993.

(i) Incorporation by reference.

(A) The following subsections of Section 3.0, entitled Maintenance Plan, in the Supplement To The Redesignation Demonstration and Maintenance Plan for the Charlotte/Gaston Ozone Nonattainment Area adopted by the North Carolina Environmental Management

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Commission on May 11, 1995: 3.1 Concept of North Carolina's Maintenance Plan; 3.2 Foundation Control Program; Table 3.2 of Subsection 3.3; and 3.4 Contingency Plan.

(ii) Other material. None.

(84) The VOC RACT regulations, NSR regulations, and other miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on August 15, 1994.

(i) Incorporation by reference.

(A) Addition of new North Carolina regulations 15A NCAC 2D .0805 and .0806 and 15A NCAC 2Q .0101 through .0111, and .0601 through .0607, effective on July 1, 1994.

(B) Amendments to North Carolina regulations 15A NCAC 2D .0101, .0501, .0503, .0530, .0531, .0532, .0533, .0601, .0801, .0802, .0803, and .0804 effective on July 1, 1994.

(ii) Other material. None.

(85) The VOC revisions to the North Carolina State Implementation Plan which were submitted on March 3, 1995, and on May 24, 1995.

(i) Incorporation by reference.

(A) Regulations 15A NCAC 2D .0955, .0956, and .0957 effective on April 1, 1995.

(B) Regulations 15A NCAC 2D .0950, and .0104 effective on May 1, 1995.

(ii) Other material. None.

(86) The PM-10 rules, Stack Testing Methods and other miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on March 23, 1995.

(i) Incorporation by reference. Addition of new North Carolina rules 15A NCAC 2D .0501, .0516, and .0530 which were state effective on February 1, 1995.

(ii) Other material. None.

(87) Recodifications to the Forsyth County Air Quality Control Ordinance and Technical Code and other miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on March 7, 1995.

(i) Incorporation by reference.

Forsyth County Air Quality Control Ordinance and Technical Code effective on December 19, 1994. Subchapter 3A, Air Quality Control; Subchapter 3B, Relationship to State Code; Subchapter 3D, Air Pollution Control Requirements; Subchapter 3H, Section .0600

Air Quality Permits; and Subchapter 3Q, Air Quality Permits.

(ii) Other material. None.

(88) The VOC RACT regulations, NSR regulations, and other miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on August 15, 1994. The Stage II regulations and other miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on May 24, 1995.

(i) Incorporation by reference.

(A) Regulations 15A NCAC 2D .0531, .0909, .0928, .0932, .0933, and .0953 effective on July 1, 1994.

(B) Regulations 15A NCAC 2D .0902, .0907, .0910, .0911, .0952, and .0954 effective on May 1, 1995.

(ii) Other material. None.

(89) Exclusionary rules for the State of North Carolina Department of Environment, Health, and Natural Resources and the Forsyth County Department of Environmental Affairs submitted by the North Carolina Department of Environment, Health, and Natural Resources on August 8, 1995, and December 28, 1995, respectively, as part of the North Carolina SIP.

(i) Incorporation by reference.

(A) Regulations 15A NCAC 2Q.0801 through 15A NCAC 2Q.0807 of the North Carolina SIP as adopted by the North Carolina Environmental Management Commission on June 8, 1995, and which became effective on August 1, 1995.

(B) Regulations Subchapter 3Q.0801 through Subchapter 3Q.0807 of the Forsyth County portion of the North Carolina SIP as adopted and made effective by the Forsyth County Board of Commissioners on November 13, 1995.

(ii) Other material. None.

(90) The VOC regulations and other miscellaneous revisions to the Forsyth County Local Implementation Plan which were submitted on December 28, 1995, and November 29, 1995.

(i) Incorporation by reference.

(A) Amendments to Forsyth County regulations Subchapter 3D .0104(a), .0531 (e)-(k), .0902 (a)-(h), .0907 (a)-(c), .0909 (a, c, d, e, and g), .0910 (a)-(d), .0911, .0950 (a and b), .0952 (a)-(c) and .0954 (f, h, k) adopted into the Air Quality Control Technical Code on November 13, 1995.

(B) Amendments to Forsyth County regulations Subchapter 3D .0501 (a)–(h), .0516 (a and b), .0518 (a)–(g), and .0530 (a)–(s), adopted into the Air Quality Control Technical Code on August 14, 1995.

(C) Subchapter 3D .0955, .0956, and .0957 adopted into the Air Quality Control Technical Code on August 14, 1995.

(ii) Other material. None.

(91) The North Carolina Department of Environment, Health and Natural Resources submitted revisions to the North Carolina State Implementation Plan on September 21, 1989. These revisions incorporate SO₂ limits and permit conditions for Cape Industries.

(i) Incorporation by reference.

(A) Permit for Cape Industries (air permit no. 130R17) which was issued by the Environmental Management Commission on December 29, 1994.

(ii) Additional material—none.

[37 FR 10884, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1770, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1771 Classification of regions.

The North Carolina plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Western Mountain Intrastate	I	III	III	III	III
Eastern Mountain Intrastate	I	III	III	III	III
Metropolitan Charlotte Interstate	I	II	III	III	I
Northern Piedmont Intrastate	I	III	III	III	III
Eastern Piedmont Intrastate	I	III	III	III	III
Northern Coastal Intrastate	I	III	III	III	III
Southern Coastal Intrastate	II	III	III	III	III
Sandhills Intrastate	II	III	III	III	III

[37 FR 10884, May 31, 1972]

§ 52.1772 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves North Carolina's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) New Source review permits issued pursuant to section 173 of the Clean Air Act will not be deemed valid by EPA

unless the provisions of Section V of the Emission Offset (Interpretative Rule) published on January 16, 1979 (44 FR 3274) are met.

[45 FR 26043, Apr. 17, 1980]

§§ 52.1773–52.1774 [Reserved]

§ 52.1775 Rules and regulations.

Paragraph (g) of regulation 2D.0535 is disapproved because its automatic exemption for excess emissions during startup and shutdown is inconsistent with the Clean Air Act.

[51 FR 32075, Sept. 9, 1986]

§ 52.1776–52.1777 [Reserved]

§ 52.1778 Significant deterioration of air quality.

(a)–(b) [Reserved]

(c) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of North Carolina